

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

PETER A. VOGT, ET AL.,

PLAINTIFF

v.

THE CIVIL CITY OF NEW ALBANY,
INDIANA, ET AL.,

DEFENDANT.

CIVIL ACTION NO. 4:06-CV-00076-
JDT-WGH

STIPULATION OF DISMISSAL

Plaintiff **Ted Fulmore** and all Defendants in this case, pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate that the claims of Plaintiff **Ted Fulmore** shall be dismissed with prejudice, with each party bearing its own costs and attorneys fees. A proposed agreed order is attached.

Jointly submitted by:

/s/ Brandon W. Smith

Brandon W. Smith
STITES & HARBISON, PLLC
400 West Market Street
Suite 1800
Louisville, KY 40202-3352
Telephone: (502) 587-3400
Email: bsmith@stites.com
COUNSEL FOR PLAINTIFF, TED FULMORE

/s/ Jerry Leo Ulrich (with permission)

Jerry Leo Ulrich
Ulrich & Vidra, LLC
115 East Spring Street, Suite 100
New Albany, IN 47150
Email: julrich@u-vlaw.com
COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing STIPULATION OF DISMISSAL was filed electronically, on this 24th day of October, 2007 upon:

Stephen Johnson Beardsley
227 Pearl Street
New Albany, IN 47150
Email: tliebert4235@aol.com

Jerry Leo Ulrich
Ulrich & Vidra, LLC
115 East Spring Street, Suite 100
New Albany, IN 47150
Email: julrich@u-vlaw.com

/s/ Brandon W. Smith

Brandon W. Smith